



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

**Agency:** Department of Health- Board of Osteopathic Medicine and Surgery

**Subject of possible rule making:** Chapter 246-853 WAC (osteopathic physician); Chapter 246-854 WAC (osteopathic physician assistant). The Board of Osteopathic Medicine and Surgery (Board) will consider writing rules to ensure that osteopathic physicians and osteopathic physician assistants appropriately delegate and supervise the performance of non-surgical cosmetic procedures that fall within the practice of osteopathic medicine.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 18.57.005; RCW 18.57A.020; RCW 18.130.050(12).

**Reasons why rules on this subject may be needed and what they might accomplish:** The Board is concerned that osteopathic physicians and osteopathic physician assistants may be inappropriately performing and/or delegating the performance of non-surgical procedures that may sever or penetrate the skin, or the administration of drugs or medicinal preparations. Procedures include: injections, chemical peels, microdermabrasion, dermabrasion, schlerotherapy, soft-tissue fillers, and mesotherapy. These procedures carry a significant risk, especially when performed without appropriate delegation and supervision. Rules are needed to ensure appropriate delegation and supervision.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**  
Disciplining authorities for allopathic physicians and physician assistants, nurses, dentists, pharmacies, and Department of Licensing regarding regulation of estheticians. Medical Quality Assurance Commission (MQAC) staff has been sharing preliminary background information with the Board. The Board is interested in coordinating its rules process with MQAC which is also considering rules on the same subject.

**Process for developing new rule (check all that apply):**

- ☐ Negotiated rule making  
☐ Pilot rule making  
☐ Agency study  
☒ Other (describe) Collaborative rulemaking

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

In order for the Board to coordinate rules with MQAC, joint meetings will be held simultaneously to gather input. The Board will also provide opportunities at regular meetings for public comment and input. The Board will notify interested parties and organizations via listserv and regular mail. Stakeholders may submit written comments for consideration to Arlene Robertson, Program Manager, PO Box 47866 Olympia WA 98504-7866 Phone 360-236-4945 FAX 360-236-2406 or by email to arlene.robertson@doh.wa.gov

**DATE**

7-31-07

**NAME (TYPE OR PRINT)**

Blake Maresh Maryella E. Jansen

**SIGNATURE**

Maryella E. Jansen

**TITLE** Deputy  
Executive Director

**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE STATE OF WASHINGTON FILED	
AUG 1 2007	
TIME	10:27
WSR	07-16-143
	AM PM